



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,588	10/24/2003	Chun-An Chen	JCLA10198	9479

23900 7590 12/14/2005

J C PATENTS, INC.
4 VENTURE, SUITE 250
IRVINE, CA 92618

EXAMINER

BUEKER, RICHARD R

ART UNIT	PAPER NUMBER
----------	--------------

1763

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,588

Applicant(s)

CHEN ET AL.

Examiner

Richard Bueker

Art Unit

1763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Claims 1-5 and 7-14 are rejected under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over applicants' description of the prior art. Applicants' figs. 1 and 2 are labeled "prior art" and described on pages 1-3 of the specification. As described therein they illustrate a prior art evaporation apparatus and method including a rotating substrate, a heater for evaporation located under the substrate, and a metal wire-supplying device for supplying a vapor source material to the heater for evaporation and subsequent deposition on the rotating substrate. It can be seen from fig. 2 that a circular trace may be defined on the substrate in the manner described in claims 1 and 7. The claims require that there is a tangent to the circular trace at a point above the heater, and such a tangent exists for the prior art apparatus of fig. 2. The claims also require that the source supplying direction of the metal wire has a projection onto the plane of the substrate, and such a projection exists for the prior art apparatus of fig. 2. The claims as amended require the defined projection "overlaps" with the defined tangent. In the prior art apparatus of fig. 2, the defined projection does overlap the defined tangent. It is noted that the dictionary definition of "overlap" (see attached definition) is "1. to lap over; lie upon and extend beyond a part of (something or each other) 2. to extend over part of (a period of time, sphere of activity, etc); coincide in part (with)". In the prior art apparatus of fig. 2, the defined projection and the defined tangent will inherently "coincide in part". While the defined projection of fig. 2 does lie upon the defined tangent, it also extends beyond a part of the defined tangent. Therefore, it can properly be said that the defined projection in fig. 2 "overlaps" the defined tangent.

Art Unit: 1763

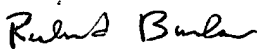
Claims 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicants' description of the prior art alone or in view of Hatwar (6,676,990). Applicants describe the prior art apparatus of figs. 1 and 2 as being used to deposit metal. In view of this description, it would have been prima facie obvious to use the prior art apparatus of figs. 1 and 2 to deposit a conventional metal coating such as aluminum or silver. Also, Hatwar teaches the use of a silver wire to deposit a silver coating by vacuum evaporation and it would have been obvious to use the prior art apparatus of applicants' figs. 1 and 2 to deposit this conventional prior coating material because Hatwar teaches that it is desirable do to so.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Bueker whose telephone number is (571) 272-1431. The examiner can normally be reached on 9 AM - 5:30 PM, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parvis Hassanzadeh can be reached on (571) 272-1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1763

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Richard Bueker
Primary Examiner
Art Unit 1763